

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
FILED

APR 14 2021

UNITED STATES OF AMERICA

§

NATHAN OCHSNER  
CLERK OF COURT

vs

§

CRIMINAL NO. B-

JOEL ALEX SANDATE

§

**B-21-348**

CRIMINAL INFORMATION

THE UNITED STATES ATTORNEY CHARGES:

INTRODUCTION

At all times material to this Information:

1. The term "minor" is defined, pursuant to Title 18, United States Code, Section 2256(1), as "any person under the age of eighteen years."
2. The term "child pornography", for purposes of this Indictment, is defined, pursuant to Title 18, United States Code, Section 2256(8)(A), as:

"any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where -

(A) the production of such visual depiction involves the use of a minor engaged in sexually explicit conduct."

3. The term "sexually explicit conduct" is defined, pursuant to Title 18, United States Code, Section 2256(2)(A), as any:

"actual or simulated -

- (i) sexual intercourse, including genital [to] genital, oral [to] genital, anal [to] genital, or oral [to] anal, whether between persons of the same or opposite sex; [or]
- (ii) bestiality; [or]

- (iii) masturbation; [or]
- (iv) sadistic or masochistic abuse; or
- (v) [the] lascivious exhibition of the anus, genitals or pubic area of any person."

4. The term "computer" is defined, pursuant to Title 18, United States Code, Sections 2256(6) and 1030(e)(1), as any:

"electronic, magnetic, optical, electrochemical, or other high speed data processing device performing logical, arithmetic, or storage functions, and includes any data storage facility or communications facility directly related to or operating in conjunction with such device, but such term does not include an automated typewriter or typesetter, a portable hand held calculator or other similar device."

5. The term "producing" is defined, pursuant to Title 18, United States Code, Section 2256(3) and case law, as:

"producing, directing, manufacturing, issuing, publishing or advertising," and includes downloading images from another source, by using materials, including a computer or parts thereof.

6. The term "visual depiction" is defined, pursuant to Title 18, United States Code, Section 2256(5), as including, but is not limited to, any:

"undeveloped film and videotape, and data stored on computer disk or by electronic means which is capable of conversion into a visual image."

**COUNT ONE**  
**(Possession of Child Pornography)**

On or about March 18, 2020, in the Southern District of Texas, within the jurisdiction of the Court and elsewhere, Defendant,

**JOEL ALEX SANDATE,**

did knowingly possess material that contained multiple images of child pornography, which was produced using materials that have been mailed, shipped, and transported in or affecting interstate and foreign commerce, by any means, including by computer, more specifically: the defendant possessed a Samsung S+9 cell phone, an ADATA Micro SD

Memory card and a Lexar 4GB USB that contained images and videos of child pornography.

All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

**NOTICE OF FORFEITURE**  
**18 U.S.C. § 2253(a)**

Pursuant to Title 18, United States Code, Section 2253(a)(2) and (a)(3), the United States gives the defendant notice that in the event of conviction for the offenses charged in the Criminal Information, the United States will seek to forfeit all property, real and personal, constituting or traceable to gross profits or other proceeds obtained from the offenses charged in the Criminal Information and all property, real and personal, used or intended to be used to commit or to promote the commission of the offense charged in the Criminal Information or any property traceable to such property, including, but not limited to, the following:

Samsung S+9 cell phone

Four (4) Fredi cameras

ADATA Micro SD Card

Lexar 4GB USB

Respectfully Submitted,

JENNIFER B. LOWERY  
ACTING UNITED STATES ATTORNEY



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ANA C. CANO  
Assistant United States Attorney